

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments, see After Final Response, filed November 30, 2007, with respect to applicant's claim to the International application filing date of September 22, 1998, have been fully considered and are persuasive. Despite the change of the application's filing date to March 18, 2005, per the petition decision of April 15, 2005, the application still has claim to the International application filing date of September 22, 1998. As such, the 103 rejection of claims 10-26 based upon the Schulte reference (US 6,699,560) as set forth in section 5 of the last Office Action (Final Rejection mailed 11/14/07) is hereby withdrawn.

### ***Allowable Subject Matter***

2. An updated search of the prior art has produced no new art of record.

3. Claims 10-26 are allowed.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Cheryl Juska whose telephone number is 571-272-1477. The examiner can normally be reached on Monday-Friday 10am-6pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rena Dye can be reached at 571-272-3186. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*/Cheryl Juska/*  
Primary Examiner  
Art Unit 1794